

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY
125 W. Washington
Phoenix, Arizona 85003

Dear Friend:

We are writing to tell you about an exciting effort of the Maricopa County Superior Court. The **GUARDIANSHIP REVIEW PROGRAM** involves using volunteers to check on the care which persons under guardianship/conservatorship receive.

Every year the Probate Division of the Court appoints guardians and conservators for persons who, due to serious physical or mental disabilities, need help in making decisions about their daily lives. While most guardians and conservators undertake their duties conscientiously, in some cases they do not live up to the court's expectations and fail to arrange for the care these people need or fail to administer their funds responsibly. Until the establishment of this cooperative program, there was no consistent way to determine if the guardian or conservator was providing good care or if the guardianship was still necessary.

The Maricopa County Superior Court wants to be sure that every person under a guardianship/conservatorship receives good care. That's where you may be able to help. The court needs concerned volunteers who can give about 8-10 hours per month to be Court Visitors.

Court Visitors serve as the court's eyes and ears, by visiting persons under guardianship to see whether they appear to be receiving appropriate care. Court Visitors report their findings to the court for appropriate action. As a volunteer, you will receive initial training and ongoing support from the court.

We invite you to consider serving as a Court Visitor. If you are interested in becoming a Court Visitor, please fill out the enclosed application. Please feel free to call 506-3669 if you have additional questions.

We look forward to hearing from you.

Sincerely,

Lori Dennison
Probate Investigations Supervisor

VOLUNTEER COURT VISITOR JOB DESCRIPTION

The Court Visitor's job is to monitor individuals who have been placed under guardianship and whose care is the responsibility of court-appointed guardians. This important monitoring function enables the court to have first-hand information about people for whom the court has ultimate responsibility. The Court Visitor is assigned a case, reviews and updates necessary information in the court file, contacts the guardian and visits the ward. After the visit, the volunteer fills out a report indicating the status of the ward and any recommendations for action. The volunteer's report is reviewed by court staff to determine whether further action is necessary.

DUTIES AND RESPONSIBILITIES

- * Complete an orientation and training session
- * Arrange a mutually agreeable time to receive and discuss assignments
- * Review assigned court files of guardianship cases
- * Contact guardian, visit ward, caregiver, and review record information
- * Complete and submit case report forms with observations and recommendations
- * Follow up on cases as requested by coordinator
- * Complete assignments in a timely manner and according to court procedures
- * Complete monthly time sheets and mileage forms for car expense and reimbursement, if desired
- * Notify the program coordinator of any problems or prolonged absences

QUALIFICATIONS

- * Resourceful person with good investigative skills
- * Patience and attention to detail
- * Willingness to learn court procedures and abbreviations used in record keeping
- * Good listening skills, friendliness, patience, and tact
- * Ability to work cooperatively with a wide variety of individuals, including people with significant physical and mental impairments and varying socioeconomic backgrounds
- * Willingness to complete case reports on forms provided by the court
- * Ability to remain objective and non-judgmental in making reports to the court
- * Ability to hold information in confidence
- * Strong desire to help people and to further the goals of the monitoring project
- * Willingness to provide own transportation to make visits

COMMITMENT

- * Willingness to contribute four or more hours per month

GUARDIANSHIP REVIEW PROGRAM

Volunteer Application Form

Requested office location: Phoenix____ Tempe____ Scottsdale____
Sun City____

Name _____
 Last First Middle

Address _____

City _____ State _____ Zip _____

Phone _____ Date _____

* In what kinds of volunteer activities have you been active or are you currently active:

<u>Organization</u>	<u>Position</u>	<u>Date</u>
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* What kinds of life experiences have you had which relate to this volunteer position? (For example: care of an elderly relative or friend; work in record keeping)

* Are you currently: Retired ___ Seeking employment ___
Employed: Full-time ___ Part-time ___
Primary occupation/profession: _____

* Please describe your employment history:

Name of employer(s)	Position held	Dates of employment
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1.

2.

3.

* Please check the highest educational level completed:
 High school _____ Some college or technical training _____
 College _____ Advanced degree _____

* Please list any education or course work specifically related to this volunteer position.

* Please list two references:

Name

Relationship to you

Phone number

1.

2.

* Do you have any physical or medical limitations that may affect your volunteer work?

 None

 Yes, but will not effect this work

 Yes, will affect volunteer activity in this way:

* When would you be available to review files at the project office?

Days

Times

Mon. to

Tues. to

Wed. to

Thurs. to

Fri. to

Signature

Date

* Due to the sensitive nature of these positions, the court will also do a record check on all applicants. Please fill out the attached **Security Clearance Check List** and return it with this application form.

Return to:

Lori Dennison

Probate Court Administration

Guardianship Review Program

125 W. Washington,

Phoenix, Arizona 85003

Security Clearance Check List

Please complete top section:

Name: _____
Last First Middle

DOB _____ Race _____ Sex _____

Social Security No. _____

Drivers License No. _____

OFFICE USE ONLY:

SECURITY CLEARANCE CHECKS: _____ Date Completed _____

NCIC Warrant Check: _____

ACIC Warrant Check: _____

Local Records Check: _____

Fingerprints & Photograph _____

Operator # _____ R & I Section Supervisor _____ CRT

Submitted by: _____

Guardianship Review Program
Probate Court Administration
First Floor, OCH

ROLE AND RESPONSIBILITIES OF THE VOLUNTEER COURT VISITOR

To accomplish the goals of the Court in monitoring its guardianship and conservatorship cases, Volunteer Court Visitors will act as the eyes and ears of the court by making observations and reporting back to the Program staff on the current situations of the wards, and by reviewing guardianship and conservatorship cases as impartial third parties.

As a volunteer, I agree to the following terms:

1. I will act in accordance with the purpose of this guardianship monitoring program to ensure that persons under guardianship are receiving good care and that their funds are being expended properly.
2. I will stay within the limits of the court volunteer role as outlined in this contract and in all documents relating to program procedures. I will avoid any conflict of interest, or appearance of conflict of interest, including financial gain, in carrying out my volunteer duties. I will not become involved with the financial affairs of wards in any of the cases to which I am assigned.
3. I will treat information gathered from the court records as confidential.
4. I will notify the court if I need to change my schedule or withdraw from the program. I will turn in my identification badge if I withdraw.
5. I understand that the program protects me from personal liability for acts performed in carrying out regular and authorized volunteer duties. I understand that the insurance provided in the program does not cover operation of an automobile in performance of volunteer duties and that I must provide such coverage through my own policy.
6. I will not independently advocate for or against wards or fiduciaries. Instead, I will report my observations and recommendations to the Office Manager or Program Director. Follow-up activities will be done only at the direction of the Program staff.

The first and foremost responsibility of the volunteer is to participate as

a member of our team. This involves accepting responsibility towards the staff and the program as follows:

1. To understand the job you undertake, and to only do the job if you feel competent to do so. To ask for assistance from staff if a situation arises about which you are unsure.
2. To at all times use professional attitudes and methods.
3. To be willing to learn and accept training. This includes participating in the initial orientation and ongoing training sessions.
4. To accept supervision and evaluation from Program staff, which includes the Office Manager and Investigations Manager. The interpretation of all policies and procedures will be made by the Office Manager or Program Director.
5. To complete the required volunteer time sheets, forms, and reports.
6. At the time of the initial file review, and prior to making a visit, to inform the Office Manager of any cases that appear to be controversial or hold the potential for conflict.

By signing below, I agree to the above responsibilities of a Guardianship Review Program Volunteer Court Visitor, and will fulfill them to the best of my ability. I understand that failure on my part to undertake the responsibilities competently or abide by the policies of the organization will result in my dismissal from the program.

Volunteer: _____

Date: _____

MARICOPA COUNTY

GUARDIANSHIP REVIEW PROGRAM

The main purpose of the Guardianship Review Program is to monitor the guardianship services provided to wards of the Superior Court, in order to ensure quality care, and to guarantee compliance by fiduciaries with statutes and court orders.

The main concept is to forge a partnership between the Superior Court and the community, and to use volunteer visitors operating from a local community office. The goal is to regularly visit all wards within a selected area, contact their guardians, and review the wards' court files to ensure that the required documents have been filed.

Objectives of the program include reducing the potential for the abuse of vulnerable elderly and disabled wards, educating fiduciaries about their responsibilities as guardians and conservators, and increasing the community's awareness of the guardianship system and the problems faced by incapacitated persons.

The Guardianship Review Program is unique in two ways: most courts do not have any method of yearly monitoring, and those which do rely entirely upon employees for this function. The Guardianship Review Program is one of the first pilot programs nationally to utilize volunteers for yearly guardianship monitoring.

The Components of the Guardianship Review Program

Community Partners

An essential feature of the Program is the partnership established between the court system and local non-profit agencies. The Guardianship Review Program began with the sponsorship of the Sun Cities Area Community Council, and expanded by linking with the Tempe Community Council, the Glendale Community Council, and the Scottsdale Senior Center.

Community partners provide members of the Program's Advisory Board, donate office space, provide volunteer recognition programs, recruit volunteers, write grants, and assist with media coverage of Program activities.

The Court

The Presiding Judge of the Probate Department and Court Administration provide guidance to the Program, assist with funding support, and review policies. Individual judicial officers are contacted when a serious problem is uncovered, and they can then take the appropriate court action. Court Investigators are available to provide follow up work on difficult cases, such as those involving conflict situations.

The Advisory Council

The Program's Advisory Council is comprised of community leaders, a Volunteer Court Visitor, and court personnel. The Council meets to plan program strategies, review funding issues, and discuss problems that have arisen.

Volunteer Court Visitors

An essential feature of the Guardianship Review Program is the use of volunteers to monitor the guardianship cases in each local community. Volunteers are trained and supervised by court staff, but they work independently to visit wards, evaluate care, and review court files.

Why was the Guardianship Program Needed?

In Maricopa County, the Probate Court realized that it was not able to effectively manage its growing number of guardianship cases. The Court became increasingly aware of incidents of financial or physical mistreatment of elderly wards.

Challenges

The major challenge facing a volunteer monitoring program is to adequately plan for the ongoing recruitment and training of new volunteers, due to the high turnover rate. Local offices and flexible hours are needed, since volunteers are often unwilling to drive long distances or adhere to a rigid work schedule. The Program has responded by providing four local offices in the community, and by providing ongoing training for small groups of newly recruited volunteers.

A second challenge was to secure funding for the program when the grants expired. As of July 1994, the Maricopa County Board of Supervisors approved the Guardianship Review Program as part of the budget of the Superior Court.

Successes

In the Program's first three years there were over thirty articles published in newspapers, magazines, and newsletters. Media coverage has invariably been colored by enthusiasm for the Program and its volunteers. Rather than having the media's coverage limited to the latest scandal, information about the court is disseminated by the media in a way that serves to educate the public about the guardianship system, and demonstrates that the court can act to protect citizens from abuse and exploitation. Members of the court and the Program have been welcomed as speakers at civic groups and service organizations.

During the first year of the program's operation, the Guardianship Review Program won a 1992 Achievement Award from the national Association of Counties.

The Guardianship Review Program has expanded and increased its service to the community. During 1992, 15 volunteers worked from one office in the area of Sun City. In 1993, 20 volunteers worked from two offices, after a Tempe office opened in March. Two additional offices opened during 1994: a Scottsdale office in February and a Glendale office in November. In 1994 there were 1900 hours of service donated by an average of 25 volunteers in the review of 860 cases.

In a small number of cases there is a need for court action. For example, a volunteer discovered that a caretaker was periodically tying a ward to a chair, then leaving the house to go shopping. Following court action, the

out-of-state guardian agreed to have a local professional fiduciary appointed to oversee care in the home. Respite care was provided during times that the caretaker was away from the house.

In November 1992, an evaluation of the Guardianship Review Program by the Institute on Mental Disability and the Law included the following findings:

a. Effectiveness: "The Program demonstrates that a significant quantity and acceptable quality of work can be accomplished by retired community volunteers who are properly supervised by a professional coordinator."

b. Reduction of Guardianship Abuses: "The mere presence of the Program, and the attention it has received in Maricopa County, may have served as a deterrent to abuse."

c. Public Trust and Confidence: "The Program has created an effective forum for active problem solving by the court, state agencies, and the elder community in Maricopa County. The Program stands as a successful example of justice outreach and public in-reach."

A 1995 evaluation for the State Justice Institute concluded that "the Guardianship Review Program" is a success. It has not only achieved most of its goals, but it has brought other significant benefits to the wards, guardians, community, the Probate Mental Health Department, and the Superior Court."